

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALTAGRACIA J. PEGUERO,

Plaintiff,

v.

AMERICAN EXPRESS COMPANY,
INC., THE SKLOVER GROUP, INC., and
FEDERAL INSURANCE COMPANY,

Defendants.

Civil Action No. 05-10995-RCL

**ASSENTED-TO MOTION TO ENLARGE TIME
TO RESPOND TO FIRST AMENDED COMPLAINT**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 7.1, the Defendants American Express Co., Inc. (“American Express”) and Federal Insurance Company (“Federal”) respectfully move this Court for leave to enlarge their time to respond to the First Amended Complaint in the above-captioned action, which was filed on April 19, 2005, in the Commonwealth of Massachusetts, Suffolk Superior Court (the “Action”), through and including May 31, 2005. Pursuant to 28 U.S.C. §§ 1441 and 1446, American Express, Federal and the Defendant The Sklover Group, Inc. (“Sklover”), by their undersigned attorneys, timely removed the Action on May 13, 2005. As grounds for this motion, Defendants state:

(1) Plaintiff has assented to this motion.

(2) On April 15, 2005, defendant Federal received a copy of the initial pleading in the State Court Action setting forth the causes of action upon which the suit is based. Defendant Sklover received notice of the State Court Action upon service of the First Amended Complaint on April 21, 2005. Defendant American Express did not

receive notice of the State Court Action until it was served with the First Amended Complaint on April 26, 2005.

(3) The additional time will permit Defendants' counsel to confer with their respective clients and assemble and review relevant documents in an effort to fully evaluate the factual and legal claims asserted in the First Amended Complaint, as well as the legal defenses available to the Defendants. The short extension of time will not unduly delay these proceedings.

(4) There have been no previous requests for any enlargement of time by Defendants.

For the foregoing reasons, Defendants respectfully move this Court to allow the motion.

Dated: Boston, Massachusetts
May 17, 2005

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Defendants, by and through counsel, hereby certify that they have conferred with Plaintiff's counsel of record in a good faith attempt to resolve or narrow the issues raised in this motion and that Plaintiff, acting through counsel, has assented to the granting of the relief sought herein.

/s/ Mark W. Corner
Mark W. Corner

CERTIFICATE OF SERVICE

I, Mark W. Corner hereby certify that on this date, May 17, 2005, I caused to be served the foregoing document, by electronic notice, upon the following counsel of record:

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/s/Mark W. Corner
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